

#### DOCKET NUMBER: 1140010

ERVIN LEE, EQUITY CUSTOM BUILDERS VS. \* IN THE COUNTY CIVIL COURT AT LAW

PHILLIP SMITH, TANAKA SMITH, LOANCARE \* NO.2

INSURANCE PROCESSING CENTER, US SMALL \* HARRIS COUNTY, TEXAS

BUSINESS ADMINSTRATION, ALLSTATE \*

INSURANCE COMPANY

CERTIFICATE OF SERVICE

- 1. ORDER FOE TRIAL SETTING, .
- 2. ORDER OF REFERRAL OF MEDIATION, .
- I DO HEREBY CERTIFY THAT A TURE AND CORRECT COPY OF THE ABOVE FOREGOING WILL SERVED

BY PLACE SAME IN THE UNITED STATES MAIL, POST PREPAID, ON THIS DATE OCTOBER  $^{\sim}$ , 2019,

ADDRESSED TO,

1. All8 tate Insurance Company/Claims Division P.O.Box 672041 2. Dallas, TX 75267

CM -3 10/08 -2019

# Case 4:19-cv-04371 Document 1-5 Filed on 11/06/19 in TXSD Page 3 of 6

Docket Number: 1140010

Ervin Lee, Equity Custom Builders LLC vs Phillip Smith, Tanaka Smith, Loancare Insurance Processing Center, US Small Business Adminstration, Allstate Insurance Company In the County Civil Court at Law No. 2

Harris County, Texas

### ORDER FOR TRIAL SETTING

It is hereby ORDERED that this case is set for NON-JURY trial on 05/04/2020 at 9:00 AM at 201 Caroline 5<sup>th</sup> floor Houston, TX 77002.

It is further ORDERED that PLAINTIFF notify all attorneys and Pro Se parties of this ORDER in accordance with TRCP 21a, by certified mail, facsimile and/or hand delivery.

If a minor child is a party by next friend or otherwise, defense counsel is ORDERED to file on or before thirty (30) days prior to the trial date either a Motion and Order to Appoint a Guardian Ad Litem or a Motion and Order to Waive the Appointment of a Guardian Ad Litem.

Should the case settle prior to trial, Plaintiff must immediately notify the Trial Coordinator in writing and must serve all parties with same.

Signed on: 9/26/2019

Jim F. Kovach Judge Presiding

### PLEASE NOTE:

IF THIS CASE IS ELIGIBLE FOR THE FILING OF A DEFAULT JUDGMENT; PLEASE FILE DEFAULT PACKET 10 DAYS PRIOR TO TRIAL DATE. FAILURE TO COMPLY WITH THIS NOTICE COULD RESULT IN YOUR CASE BEING DISMISSED BY THE COURT.

For answers to Frequently Asked Questions, visit the Court's website at www.ccl.hctx.net/civil/2

EQUITY CUSTOM BUILDERS LLC 512 N HAMPTON ROAD DE SOTO TX 75115

# Case 4:19-cv-04371 Document 1-5 Filed on 11/06/19 in TXSD Page 4 of 6

Docket Number: 1140010

§

Ervin Lee, Equity Custom Builders LLC vs Phillip Smith, Tanaka Smith, Loancare Insurance Processing Center, US Small Business Adminstration, Allstate Insurance Company In the County Civil Court at Law No. 2

Harris County, Texas

00 co co co co

### ORDER OF REFERRAL OF MEDIATION

This case is appropriate for mediation pursuant to Tex. Civ. & Rem. Code Sec. 154.001, et seq. ROBERT CASEY is appointed a mediator in the above case, and all counsel are directed to arrange the logistics of mediation. The Mediator's address, phone and fax numbers are as follows:

ROBERT CASEY, 1627 WOODHUE SPRING, TX 77386, Mediator Phone: Work: 832-326-9294

Mediation is a mandatory, non-binding settlement conference, conducted with the assistance of a Mediator. Mediation is private, confidential, and privileged from process and discovery. After mediation, the Court will be advised only that the case did or did not settle. The Mediator shall not be a witness, and the Mediator's records may not be subpoenaed or used as evidence.

Fees for the mediation are to be agreed upon by the parties and the Mediator, and divided and borne equally by the parties unless agreed upon otherwise. Fees shall be paid by the parties directly to the Mediator, and shall be taxed as costs. Each party and counsel will be bound by the Rules for Mediation.

Named parties shall be present during the entire mediation process, and each corporate party must be represented by a person with authority to negotiate a settlement. The mediation must be completed within one week before trial setting. Counsel and parties shall try to agree upon a mediation date within fourteen days of the date of this order. If no agreed date can be scheduled, then the Mediator shall select a date, and all parties shall appear as directed by the Mediator.

Referral to the mediation is not a substitute for a trial and the case will be tried as assigned if not settled. Disputes as to fees may be submitted to the Court.

Signed on: 9 26 2019

Honorable Jim F. Kovach Judge Presiding

ERVIN LEE 512 N HAMPTON ROAD DE SOTO TX 75115 Ergasele: 29 de avita, renderen Brown Laters, Elled on 11 512 N. Hampton Road # 410

\$7.45

MAN CENTRAL

CALSANDAM LANGER

All State Insurance Company Claims P.O. Box 672041 Dallas, TX 75067

